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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,846	09/19/2000	Eduard Bruck	22599 N1PCTU	3778

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EXAMINER

TRAN, KHOA H

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,846

Applicant(s)

BRUCK, EDUARD

Examiner

Khoan Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-37 and 39-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-37 and 39-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1. 6) ☐ Other: _____

Continued Prosecution Application

The request filed on February 19, 2003 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/601,846 is acceptable and a RCE has been established. An action on the RCE follows.

Drawings

The drawings are objected to because the lead line of reference numeral 20 in Figure 6 is not connected to the respective part, i.e., hole, to which it refers. Correction is required.

Specification

The disclosure is objected to because of the following informalities:

On page 10, line 27 and on page 11, lines 7-8, "hole 22" should be --hole 20--, in order to agree with what has been shown in Figures 5 and 6; on page 12, line 2, "holding collar 38" should be --holding collar 31--, in order to agree with what has been shown in Figure 8, and on page 17, line 34, "anchoring protrusions 60" should be --anchoring apertures 60--, in order to maintain terminology consistent with respect to reference numeral "60". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23, 32, 36, 37, and 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle. Welch discloses a door internal element (80) arranged between a door outer side (12) and an inner lining (100) comprising a door inner element of a foam layer (80) formed between two solid boundary layers (74, 90 and 86), and a seal body that is a part of the internal door element (103) disposed at an edge thereof for absorbing the collapse arm rest. See Figures 3 and 4. With respect to claim 32, Welch teaches the door inner element (96) that is partial offset wall having a wide face portion and a groove for receiving a strip insert therein. With respect to claim 42, Welch teaches a removal of the door inner element so that to create an access opening to receive the collapse arm rest and access to the foam layer. Welch does not teach the foam door inner element being a foam injected door element. However, Doolittle teaches the foam injected (40) door element sandwiched between two rigid substrates (36, 38). See column 2, lines 10-14. See Figure 2. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the door inner element of Welch to be a foam injected inner door element as taught by Doolittle in order to simplify the manufacture processes, i.e., in stead of spraying the foam over the inner door element that would requires an amount of time for the foam to cool down and adhere to the inner door element before it can be assembled between the door outer side and the inner lining of the door, the foam injected formed inner door would eliminate the time for the foam to cool down since it isolated between

two rigid substrates and ready to assemble to the door outer side and the inner lining of the door. With respect to claim 36, since there is no significant important to thickness of the door inner element discloses in the disclosure, it would have been an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill in the art to dimension a section of the foam layer to be between 0.1 and 0.6 g/cm³ and to dimension a section of the cross section of the door inner element to be between 0.7 and 1.4 g/cm³ and producing no new and unexpected results.

Claims 24 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Beulat. Beulat teaches a door inner element (3) having a cable holder (5) that shelters wires (5a) under a bridge of the cable holder. See Figure 1. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified door inner element of Welch in view of Doolittle with a cable holder as taught by Beulat in order to prevent cable wires from coming in contact with the metal door and prevent water damage to the wires.

Claims 25, 28, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Staser et al. ('553). Staser et al. ('553) teach a single piece molded door inner element having various hardware preformed mounting surfaces. Staser et al. ('553) teach an attachment support (53) with an inserted support plate (50) for mounting a motor, see Figure 2, a speaker-mounting collar (32) for

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mounting a speaker and a molded-in bushing (78) for receiving wires. See Figures 1, 2 and 4. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the door inner element of Welch in view of Doolittle to have various hardware preformed mounting surfaces as taught by Staser et al. ('553) in order to promote assembly efficiency in mounting various components to the door. With respect to claim 30, Staser et al. ('553) is silent on the material of the inserted plate being made of, however, metal is a well-known and commercially available material per se use in making a support plate. Accordingly, it would have been obvious to one of ordinary skill in the art as a matter of engineering design choice to utilize metal as the particular material to manufacture the inserted support plate therefrom because it is well-within the level of skill in the art to utilize the known feature of the art for the purpose for which it's known.

Claims 26, 27, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Wurm et al. Wurm et al. teach a threaded bushing (430b) incorporated there with a cable wire (3). See Figure 1. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified door inner element of Welch in view of Doolittle with the provision of a threaded bushing as taught by Wurm et al. in order to secure a cable wire therewith for adjustment of the window. Wurm et al. are silent on the material of the bushing being made of, however, plastic is a well-known and commercially available material per se in making a bushing. Accordingly, it would have been obvious to one of ordinary skill in the

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art as a matter of engineering design choice to utilize plastic as the particular material to manufacture the bushing therefrom because it is well-within the level of skill in the art to utilize the known feature of the art for the purpose for which it's known.

Claims 33, 34, and 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Stein et al. Stein et al. teach a sealing body (18) located in a groove (42, 44) that is integrally formed in the door internal element (12). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified door inner element of Welch in view of Doolittle with grooves and sealing body as taught by Stein et al. in order to removably fasten to the inner lining without the need of conventional fasteners.

Claims 39, 40, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Ishikawa. Ishikawa teaches the door inner element having anchoring apertures (32) with extended tabs, see Figure 8, projected from the rear end face on the door inner element and to engage with a clip (33) for secure the door inner element with the door outer side (26).

Applicant's arguments with respect to claims 23-37 and 39-44 have been considered but are moot in view of the new grounds of rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Staser et al., Gandhi et al., Skrbina et al., Bilin et al., Johnson et al., Rozenberg, Rohrlach et al., Grimes, Weller, Kobrebek, Hisano et al., Davis, Jr. et al.,

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Stieben et al., and Stief et al., are cited to show devices having similar configurations of design.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa Tran whose telephone number is (703) 306-3437. The examiner can normally be reached on Monday through Thursday from 9:30 A.M. to 7:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola, can be reached on (703) 308-2686. The fax phone number for this Group is (703) 305-3597 or (703) 305-3598.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

A handwritten signature in black ink that reads "Daniel P. Stodola". The signature is written in a cursive style with a large, looped initial 'D'.

Khoa Tran

October 03, 2003

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600